

BOARD OF PHARMACY
Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT
Approved Minutes
December 16, 2015 at 9:00 A.M.

1. The meeting was called to order by Mr. Milne, R.Ph., Chair, at 9:06 a.m.

Members Present: Mr. King Milne, R.Ph., Chair; Mr. Robert Carpenter, R.Ph., Vice Chair; Mr. Larry Labor, R.Ph.; Ms. Stephanie Ibey, R.Ph.; James Arisman, Esq., public member; Mr. Corey Duteau, R.Ph. and Ms. Judith Wernecke, Secretary, public member.

OPR Personnel Present: Mr. Larry Novins, General Counsel; Mr. Robert Enos, Executive Officer; Mr. Daniel Vincent, Inspector; Ms. Lauren Hibbert, Chief Prosecutor; Beth Jarvis, Prosecutor; Rachel Allen, Prosecutor, Lora Nielsen, Assistant Director and Peter Comart, Licensing Administrator.

Guests: David Adsit, Mike Duteau, Theo Kennedy, Darci Coleman-Graves, Dr. Harry Chen, Christopher Winters.

2. Approval of the Minutes of the October 28, 2015 Board meeting.

Mr. Milne made a motion to approve the minutes, seconded by Ms. Wernecke. Motion passed unanimously.

3. Case Manager's Report: Carla Preston, Case Manager, to report on current cases.

There are currently twenty-five (25) cases. Five (5) are ready for investigative team meeting. Four (4) are recommended for closing. Four (4) are pending hearing, 1 case charges filed, 6 with investigator, 5 pending charges.

Closing Report 2014-433 Mr. Arisman made a motion, seconded by Mr. Duteau to accept the closing report. Motion passed unanimously.

Request to remove conditions, Docket No. 2013-575, Follow Up Case No. M2010-35, William D. Aimi, R.Ph. Mr. Carpenter made a motion, seconded by Ms. Ibey, to remove conditions. Motion passed with one abstention, Mr. Duteau.

4. Guests:

9:15 a.m. – Lora Nielsen, Assistant Director – Budget review. Ms. Nielsen presented the annual budget. The fund balance looks good and fees will not change this year. The Board had two questions for Ms. Nielsen. Ms. Nielsen said she would follow up and she will get back to the Board at the next meeting.

10:30 a.m. Dr. Chen came to talk about opiate addiction and to garner the Board's support to address the issue in Vermont. Discussed the Vt. Prescription Monitoring System. Dr. Chen asked the Board to consider how to encourage greater use of the prescription monitoring system. Dr. Chen presented on naloxone and its use in emergencies.

12:10 p.m. Christopher Winters came to present a certificate of appreciation for Larry Labor, thanking him for his years of service on the Board. This was Mr. Labor's last meeting.

5. Hearings/Stipulations et al:

9:30 a.m. – Stipulation and Consent Order Paul Carroll, Docket # 2015-181 (Robert Carpenter, the Investigative Team member, recused himself.) Beth Jarvis presented for the state; Theo Kennedy for the respondent. Darci Coleman-Graves, the complainant addressed the board.

Mr. Arisman made a motion, seconded by Mr. Duteau to approve. The motion did not pass. This matter was rescheduled for the January 27, 2016, meeting.

9:30 a.m. – Stipulation and Consent Order: Brandon Cigana, docket #'s 2014-165 and 2013-435 (Robert Carpenter and James Arisman were the Investigative Team members and recused themselves)

Ms. Ibey made a motion, seconded by Mr. Labor to approve. Motion passed unanimously.

6. Applications/Legislation/Rulemaking:

License application from Kinney Drugs #112 (license #: 038-0089285) in Waitsfield, VT. Request to terminate current retail license and subsequent request to license this location as a remote pharmacy per Vermont Board of Pharmacy Administrative Rules Part 19. (Bob Enos)

Bob Enos presented the application. Mr. Duteau and Mr. Adsit presented Kinney's rationale for the request. The board decided to take more time to consider the request and wants to take it up again at the January meeting.

7. Continuing Education Requests:

"Working Together to Reduce the Misuse & Diversion of Rx Narcotics" – Submitted by Andrew Miller, R.Ph. Requesting two (2) hours of live (didactic) continuing pharmacy education credits. The conference was held November 18, 2015.

Bob Enos recommended the Board not approve this request at this time, until more information is available. Mr. Enos will contact Mr. Miller.

8. Discussion Items:

Policy on drug reference Library – Larry Novins presented the board with a current draft.

Mr. Milne made a motion, seconded by Mr. Carpenter, to approve the policy as amended. Motion passed unanimously

Request from Vermont Pharmacist Association to continue monthly newsletter column "Ask the Board of Pharmacy" - Bob Enos offered to organize this for the Board. The Board discussed and decided not to pursue this.

Pharmacist inquiry regarding electronic prescription vs. fax prescription - Bob Enos informed the Board that the DEA considers electronic prescriptions to be completely electronic. A FAX prescription requires a physical signature or verbal confirmation.

Vermont Pharmacy "Certified" Technician informational email and newsletter article - Bob Enos offered to put something in the next newsletter. He also may send out an email to all Pharmacists and Technicians.

Albany College of Pharmacy Colchester opportunity to meet, opportunity for BOP administrative specialty rotation - Bob Enos informed the Board that Robert Hamilton, the Associate Dean, has extended an offer for the Board to have a Board Meeting at the Colchester campus. This would also provide the Board with an opportunity to see the facility and meet students and faculty. Bob Enos would like to pursue the rotation opportunity with the Board's approval.

9. Public Comment - None

10. Audit Review

The Board reviewed the remaining CE audits.

11. Other Business – The Board signed certificates.

12. The next meeting is scheduled for Wednesday, January, 27, 2016, at 9:00 a.m.

13. The meeting adjourned at 12:15 p.m.

2016 Meeting Dates

February 24, March 23, April 27, May 25, June 22, July 27, August 24, September 28, October 26, November 23 and December 28